

EDGEFIELD COUNTY COUNCIL

Minutes

February 1, 2005

The Edgefield County Council held its regular monthly meeting at 6:00 P. M. Tuesday, February 1, 2005, in the County Council Chambers, 225 Jeter St., Edgefield.

Prior to the meeting council visited the Voter Registration office to view the new voting machines and to consider additional space for that office. Immediately thereafter, council proceeded to the Edgefield Library for a presentation by the library board.

Members present

C. Monroe Kneece, Chairman
Willie C. Bright, Vice Chairman
Norman Dorn, Councilman
Joel D. Hudson, Councilman
B. Everette Kitchens, Councilman

Others present

Wayne Adams, County Administrator
John F. Byrd, Jr., County Attorney
Barbara R. Stark, Clerk to Council
and others as per list attached

Chairman Kneece called the meeting to order and Ms. Essie Nicholson gave the invocation, after which the Pledge of Allegiance was recited.

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The Chairman asked consideration for approval of the following Edgefield County Council Minutes: December 27, 2004, called meeting and January 4, 2005, regular meeting. Councilman Bright made the motion, seconded by Councilman Kitchens, to approve the minutes as presented. Motion carried unanimously.

Reports

There were no comments or questions regarding reports.

Ordinances

Motion was made by Councilman Kitchens, seconded by Councilman Dorn, to approve third reading of Ordinance No. 04-05-554, "An Ordinance Authorizing the Execution and Delivery of A Not Exceeding \$1,500,000 in Principal Amount of a Hospital Revenue Bond (The Edgefield County Hospital Project) of Edgefield County, South Carolina; Providing for the Form and Details of the Bond; Providing for the Disposition of the Proceeds Thereof; and Other Matters Related Thereto." Motion carried unanimously.

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Motion was made by Councilman Hudson, seconded by Councilman Dorn, to approve second reading of Ordinance No. 04-05-55, "An Ordinance Providing for the Conveyance of a Building and Land Parcel of Edgefield County to Edgefield County Churches Helping Others, a Charitable, Non-Profit Organization Serving the Needy Citizens of Edgefield County." Motion carried unanimously.

Councilman Bright made the motion to accept the first reading of Ordinance No. 04-05-556, "An Ordinance Amending Ordinance No. 03-04-445, the FY 04-05 General Operating Budget Ordinance, to Provide for Three Additional Jailers in Order to Comply with Staffing Requirements of the South Carolina Department of Corrections." Councilman Hudson seconded by motion. The motion carried unanimously.

Resolutions

Councilman Dorn made a motion to approve Resolution No. 04-05-274, "A Resolution Designating Emerald Center Multi-County Board for disabilities and Special Needs as an Entity in Edgefield County to Provide Transportation to the Elderly or Persons with Disabilities." The motion was seconded by Councilman Bright and carried unanimously.

New Business

Bettis Park

Mr. Richard Pendarvis, Vice Chairman of the Recreation Commission, and Nick Wates, Director, addressed council concerning the purchase of baseball scoreboards and equipment for Bettis Park. Mr. Pendarvis stated that all of the leagues (Johnston, Edgfield, Bettis) will be together. Of course this will increase the number of teams in each age group. We will be going from four teams to twelve teams. Instead of playing two nights a week they will be playing four nights a week. The youth baseball program will be picking up about 100 players, resulting in the need for player equipment.

2 scoreboards	\$9,621.62
equipment (catchers mitt, batting helmets, batting cage	\$2,793.05
pitching machine	<u>\$1,936.86</u>
Total	\$14,467.74

The fields the football league has used in the past, as council knows, can no longer be used. The league would like for Bettis Park to be their home field to play all of the games. They will need the scoreboard, lights, and a concession area. An estimate on these three items is about \$60,000. Councilman Hudson inquired about the availability of existing lighted fields, such as the JET and Merriwether middle schools. The director explained that eventually the football board wants to move away from school system and have their own facility. The football board agreed that Bettis has the only field in the county that is county owned and is centrally located for all four areas. Mr. Hudson stated that he has no problem with the league having its own field, but the budget is very tight.

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“I don’t understand why we don’t use the school fields. They are allowing us to do that now – they have the lights.”

Mr. Wates said that the football league feels as though the schools are pushing them out, so they wanted to begin to find a suitable field before this happens.

Councilman Hudson would like for the league to talk with the school board and see if they will work with us. If they tell us they will not let us use it any more, then we will try to do something different. Just cannot go out and spend \$60,000 because the school board might eventually not let us use the fields anymore. Mr. Hudson said he would not vote for that.

Mr. Pendarvis said that this was the first bid, and that costs might be reduced through downsizing. He agreed to talk with the school board and come back to council.

Mr. Pendarvis asked about the baseball. He explained the reason it was so important at this time. North Augusta is moving to Little League Baseball; we’re Dixie Youth. The reason all the kids were playing down there is because Dixie Youth facilities are better. We can never get them to come back here because when any kid moves out of one league to another he or she has to have a sign-off by the league. So they are not letting 70 to 80 kids leave that league and have to sign off. When they change their direction to Little League we don’t have to get permission for them to come back and play in the county that they are in now. So we have the opportunity at this point, if we get this equipment, to capture 100 or so kids that live in this county and have been leaving the county to go play in another facility.

The Administrator said the \$14,000 would come from the council’s contingency (\$14,000) and that upgrades to Bettis Park for the football season did not have to be taken up immediately. These upgrades would be funded by a capital budget that council would consider as part of the budget process this spring.

Motion was made by Chairman Kneece, seconded by Councilman Bright, to approve up to, and not to exceed, the \$14,467 for equipment, which includes two scoreboards. Motion carried unanimously.

Mr. Adams informed Council that the \$14,467 for the equipment can be repaid to the general fund out of special revenue fund once the recreation program is on its feet. That, in essence, is borrowed money.

Councilman Kitchens asked that the schools be contacted as to how long the football league will be allowed to use the school fields.

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Reader/Printer

There have been several breakdowns of the present reader/printer in the archives department. The printer is used not only for genealogical research but also for research of deeds and judgments and documents used in property transfers. The problem at present is that with the machine not working, patrons and workers have to go into the vault and get on a ladder to get the heavy books, which at best is a workers' comp claim waiting to happen. The other issue is that a new digital printer is more economical to service. We have been told that we are on borrowed time in terms of getting parts for the reader/printer that we have because it is outdated. We had not planned to buy one this year but it would have been in next year's budget anyway. The only lease they have is lease/purchase.

Tricia Glenn stated that archives has between six and 20 individuals using the machine on a regular basis during the summer months. This is an essential part of the archives. There are some records from 1954 to 1995 that are only available on microfilm. We cannot retrieve these records right now because the machine is completely down – not working at all. It could be sold only as a reader – not as a reader/printer. Ms. Glenn said that Palmetto Microfilm has been to the archives department three times in one week to get the present one going. It was a couple hundred dollars per part and it is now requiring parts that they will have to search for to get and will cost over \$1,000 to fix it – with no guarantee. It has worked fine for ten years, and that is about the life expectancy for a reader/printer. The one we have now will print two sizes: 11x17 and the regular size. The new one will do both of those sizes plus the legal – 11x14. Palmetto Microfilm has given us a very good price, considering the machines were priced up to \$24,000 just a few years ago. There is a flat charge to researchers of \$10.00 to retrieve records and 50 cents a page. The money goes into the general fund and amounts to between \$200 and \$400 a month.

Motion was made by Councilman Kitchens, seconded by Councilman Bright, to purchase a new reader/printer from Palmetto Microfilm Systems at the price of \$14,036.00. Motion carried unanimously.

Peach Blossom Festival Request

Motion was made by Chairman Kneece, seconded by Councilman Hudson, to approve \$50.00 for a one half page ad for the Peach Blossom Festival. Motion carried unanimously.

Grant Funding for Emergency Preparedness

Mike Casey was not present, as scheduled, to address Council concerning a grant.

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Appointments / Grievance Committee

There are five openings to be filled on the grievance committee. The chairman asked if council wanted to appoint the five or have the department heads appoint them. Councilman Hudson stated that if the members are going to be alternated, there should be no problem with the department heads alternating appointments among their employees. The chairman said that is the motion he would make and Councilman Hudson seconded it. Motion carried unanimously.

Old Business

Jewel Plaxco, EMS director, was present to report on the geographic distribution of ambulance calls, as per council's recent request. Council had requested a map plotting a sample of the distribution of EMS calls in the county over the past six months. The sample that was taken was the second week of each of the previous six months. The calls were primarily concentrated around the towns of Edgefield and Johnston and in the Merriwether area along US Hwy. 25 near Murphy Estates. The calls are more scattered in the rural areas. The discussion of this was concerning where Station II should be located. At the present, it is located at the Merriwether Fire Department at the corner of Currytowne and Martintown Roads. There is some discussion about moving Station II, perhaps to Stephens Road where SCDOT currently owns an unused section shed.

Councilman Hudson feels either location is good but wanted to know how much it would cost to make upgrades to the state property to make it useful to EMS. (Approximately \$5,000).

Councilman Dorn wanted to know the difference (distance) between the present location and the proposed location. (Approximately five to six miles)

The question was asked why a different location was being proposed. When the Merriwether Fire Department asked the Council to pay 85% of the power bill instead of one half of it, Mr. Bright raised the question, "Well, is that (corner of Martintown and Currytowne Roads) the best place for the EMS station anyway?" Mr. Hudson asked if it is worth spending \$5,000 to renovate the building just to keep from paying an electric bill at the fire department. Jewel Plaxco, EMS Director, mentioned having gas pumps at the proposed location would be nice, instead of having to drive back to the fuel site in Edgefield.

Howard Gibson mentioned one thing that has been discussed. Richard Shaffer with the Water Authority, before this became a possibility, had asked if the county would be interested in sharing the building. They need a place in that area to store equipment – not the building – just one area. They would be willing to possibly cover the utilities on that building – that would be a good offset. Mr. Gibson and Mr. Kitchens had discussed the

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possibility of locating a Little League baseball field on the state property. Having fuel tanks at that location would also help the deputies and the road department.

Mr. Adams stated that the county was waiting on an agreement that the SCDOT is drafting concerning a swap, whereby the state would deed this facility to the county in exchange for the county maintaining seventeen (17) miles of state dirt roads.

The question was asked by Councilman Dorn if there was a particular time, perhaps the summer, that there is a peak of EMS calls. (July is the busiest month.)

Council was in agreement with the Chairman to put this on hold until the building is finalized and then discuss the use of the building with other entities.

Guests

Mr. Charles Reinert, Bream Oak, Trenton, signed up in advance of the meeting to address council. Chairman Kneece asked if this was concerning Plane Fun- "Yes, the airport." Mr. Kneece stated that,

"Because Council has voted to pursue a declaratory judgment in this matter, it is not appropriate to entertain discussion, except through its legal counsel. For nearly three years the council has tried to negotiate with Plane Fun on a lease that would satisfy state law concerning both the leasing of property by the county to another entity and those statutes particular to airport leasing. Plane Fun was given a deadline for responding to the county's most recent proposal but did not meet that deadline. A declaratory judgment setting aside the current lease does not necessarily mean that the airport will be shut down. It does mean, if there is going to be a lease, Plane Fun will have to come to the table with the county and negotiate."

Now, Council can listen to whatever you all want to say but cannot negotiate anything, because it is already in the hands of the attorneys.

Linda Anderson stated they felt the negotiations were over with in 2003. "We came up with an agreement that had two readings and a hearing and it was after that point that an amendment was put in. We have been working for the last two years to try to address those needs. The lease has had two readings and the hearing addressed every issue. As far as we were concerned, or as far as we knew, the lease issues had been settled. But the county continues to come up with new issues." Ms. Anderson further stated that she had read minutes of county council that indicated the county was going to take back the airport and put the land to some other use. She was also concerned about the most recently proposed term of the lease, which would have it expiring in 2008.

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Chairman Kneece said he had heard many rumors, but nothing had been decided at this point except to pursue a declaratory judgment that would set aside the lease. Beyond that, the matter was for a judge to decide.

Mrs. Anderson said she felt they (Plane Fun) deserved an answer as to why third reading was never held. The question was directed to Mr. Adams by the Chairman.

Mr. Adams stated "We are crossing the line into negotiation, or perhaps even an argument over this. Both parties decided long ago to work through their legal representatives. I cannot account for why two lawyers cannot get together and get a lease finalized, but that is where we are." He went on to say that council could stop the declaratory judgment action, but that would presumably only happen if a new lease was agreed upon.

Mr. Adams went on to say, "This is a business deal. This is not about closing the airport or keeping it open. That has nothing to do with it. This is about a business deal between county council, as representatives of the county, and Plane Fun. If this lease is set aside it does not mean, as the Chairman said, that we will plant pine trees. I will mean that we haven't come to terms on a business deal with a fixed base operator for the airport." Mr. Adams then suggested the parties allow the lawyers to work things out. "We are not going to work it out in a room full of seventy-five people. The lawyers can work this out any time up until it is heard by the circuit court judge."

The suggestion was made by Council to get all parties concerned together with the attorneys.

A member of the Trenton Flyers updated Council on some of the civic activities the group has been responsible for over the past year.

Next an item of business (addition to the agenda) was addressed. The issue was whether council would accept from a property owner the grant of additional right-of-way for the widening of Hunter's. Howard Gibson, director of building and planning, stated that the road meets county standards and was brought up to these standards by the property owner.

Mr. Kneece made the motion to accept Hunters Run into the system with the additional right-of-way. Councilman Hudson seconded the motion, which passed unanimously.

Executive Session

Returning to regular session, the Chairman stated that discussion was held on the Administrator's contract. The Chairman asked for a vote on whether to go with the new

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contract or not. All in favor of going with the new contract please say aye – all opposed – none. The ayes carried. We will do away with the old contract and go with the new contract. The Administrator thanked council.

Councilman Kitchens asked, if permissible, to bring before Council an item concerning some benefits that he feels should be discussed. Mr. Kitchens feels that severance packages for employees that may lose their jobs for no reason of their own should be looked into. Mr. Adams that type of job loss could occur if staffing were cut because of the budget. Mr. Kitchens asked the administrator to explore a policy tying a severance package to years of service, beginning with some minimum number of years up to a certain point, possibly stopping short of (age) 62. Mr. Adams said it is certainly a fair thing, and as far as the law, it would be going over and above the Fair Labor Standard Act, which is never a problem as long as the policy is fairly applied.

Claims approved as follows:

A.	PAYROLL:	1/03/05 thru 1/16/05
	Regular.....	\$172,538.65
B.	PAYROLL:	1/17/05 thru 1/20/05
	Regular.....	\$174,158.41
B.	General Operating.....	\$695,954.54

There being no further business, Councilman Dorn made the motion to adjourn. The next regular council meeting is scheduled for Tuesday, March 1, 2005.

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ATTEST

Barbara R. Stark, Clerk to Council